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CENTRAL FAX CENTERPATENT  
NOV 17 2010 Serial No.: 10/007,364  
Attorney Docket No.: 2C22.1-021

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent No. 7,226,458 )  
Filed: November 5, 2001 )  
Inventor: KAPLAN, Aaron V. et al. )  
Serial No. 10/007,364 )  
For: METHODS AND APPARATUS FOR )  
TRANSPERICARDIAL LEFT ATRIAL )  
APPENDAGE CLOSURE )

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NOV 23 2010

OFFICE OF PETITIONS

USPTO  
RECEIPTS ACCOUNTING  
DIVISION  
2010 NOV 19 PM 4:16NOTIFICATION OF LOSS OF SMALL ENTITY STATUS

Mail Stop POST ISSUE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 17, 2010

Via Facsimile  
571-273-8300

Sir:

Status as a small entity was established in good faith and small entity fees were paid in good faith. However, it has recently been discovered that small entity status was incorrect, and the several prosecution fees were mistakenly paid as a small entity in good faith. Accordingly, pursuant to 37 C.F.R. § 1.28, Applicant respectfully submits herewith an itemized listing of the payment made and a fee for the deficiency. Applicant respectfully requests that the Office excuse this error.

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CENTRAL FAX CENTER

PATENT

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| FEE PAID | DATE              | FOR               | CURRENT FEE FOR NON-SMALL ENTITY | DEFICIENCY |
|----------|-------------------|-------------------|----------------------------------|------------|
| \$200.00 | June 21, 2006     | Excess Claims Fee | \$440.00                         | \$240.00   |
| \$200.00 | December 11, 2006 | Excess Claims Fee | \$440.00                         | \$240.00   |
| \$50.00  | December 11, 2006 | Excess Claims Fee | \$104.00                         | \$54.00    |
| \$395.00 | December 11, 2006 | RCE Fee           | \$810.00                         | \$415.00   |
| \$700.00 | March 22, 2007    | Issue Fee         | \$1510.00                        | \$810.00   |
|          |                   | Total Fees Due:   |                                  | \$1759.00  |

Enclosed herewith is a credit card payment form in the amount of \$1759.00 for payment of deficient fees. The Commissioner is authorized to charge any additional fees due or credit any overpayment to Deposit Account 50-1513.

Respectfully submitted,  
Gardner Groff Greenwald & Villanueva, PC

/Clark A.D. Wilson/  
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Reg. No. 55,732

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